

### **REMARKS/ARGUMENTS**

This Amendment is in response to the Office Action mailed January 3, 2007. Claims 20-32 were pending in the present application. This Amendment does not add, cancel, or amend any claims, leaving pending in the application claims 20-32. Reconsideration of the rejected claims is respectfully requested.

#### **I. Rejection under 35 U.S.C. §102**

Claims 20-32 are rejected under 35 U.S.C. §102(e) as being anticipated by *Freeman* (US 2007/0260980). Applicants respectfully submit that *Freeman* does not disclose each element of these claims.

For example, Applicants' claim 20 recites an email server for performing unconscious archiving of electronic documents in a network environment, wherein electronic documents are transferred over a network coupling at least one client computer and at least one document management workstation having at least one database disposed to receive electronic copies of said documents for archiving, the at least one document management workstation being in communication with at least one of a copy, print, and facsimile operation, said server operatively disposed to:

collect electronic image data of each and every email document in a plurality of email documents transmitted over the network in response to a single user input command, the electronic image data being a copy of each and every email document transmitted over the network;

cause said image data to be stored in the at least one database to perform the unconscious capture archiving, wherein the at least one database further comprises image data from unconscious capture archiving of electronic document images from the at least one of a copy, print, and facsimile operation, wherein the aforementioned steps are carried out transparent to the user and without further input from the user notwithstanding the single user input command, and the aforementioned steps capture electronic document images of the plurality of email documents transferred over the network

(emphasis added). Such limitations are not disclosed by *Freeman*.

*Freeman* discloses a new model for operating systems that stores information according to a "time-ordered stream", instead of standard filename and file folder-based approaches (paragraph [0032]). A document stream has three main portions" past,

present, and future, where the "present" holds working documents saved to the system, and older documents saved to the system enter the "past portion" where the documents are eventually archived (paragraph [0044]). The archiving is "automatic" for documents stored to the system that are "older than some date d" (paragraphs [0075]-[0076]). This is very different from what is recited in Applicants' claims.

First, the documents in *Freeman* are first stored to the stream in the "present" portion and then are archived after some amount of time d. Applicants' claims recite automatic, unconscious archiving for each email message transmitted over the network. The archiving is done unconscious to the user, as the user does not have to save the email to a drive or do anything other than receive the email message. In *Freeman*, the user must save a document to the file system using the stream convention, and then after some amount of time the file may eventually be archived.

Further, Applicants' claims recite capturing "electronic document images of the plurality of email documents transferred over the network" and automatically and unconsciously archiving the images of the email documents. *Freeman* does not disclose this. Even if for sake of argument one were to consider the receiving of an email message to constitute storing according to the stream of *Freeman*, which is not disclosed to be the case, the storing a possible eventual archiving of the email messages still would be at best for the actual email file and not a captured image of the email document.

Further still, Applicants' claims recite "unconscious capture archiving of electronic document images from the at least one of a copy, print, and facsimile operation". *Freeman* requires first storing a file to the system according to the stream convention, and does not disclose automatically capturing data for copy, print, or facsimile operations without further user interaction, and certainly does not disclose automatically capturing and archiving an image of something that is simply printed or copied using a single user input command. Even if one were to make the argument that it would be obvious to also store something that is being printed or copied, for which there is no support, this additional storing step would either require some additional input or

knowledge on the part of the user, and thus would still not meet the elements of the claims.

For at least these reasons, Applicants respectfully submit that *Freeman* does not disclose each element of the pending claims, and request that the rejections with respect to these claims be withdrawn.

**CONCLUSION**

In view of the foregoing, Applicants believe all claims now pending in this Application are in condition for allowance. The issuance of a formal Notice of Allowance at an early date is respectfully requested.

If the Examiner believes a telephone conference would expedite prosecution of this application, please telephone the undersigned at 925-472-5000.

Respectfully submitted,



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